



DATE: October 16, 2019

AGENDA ITEM # 4

**TO:** Parks & Recreation Commission

**FROM:** Manny A. Hernandez, Municipal Services Director  
Donna Legge, Staff Liaison

**SUBJECT:** Pilot Off-Leash Hours Dog Program

**RECOMMENDATION:**

Receive staff report and attached materials regarding a pilot program for Off-Leash Hours Dog Program. Provide input and schedule public workshop prior to forwarding a recommendation to City Council

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**BACKGROUND**

The Los Altos Parks Plan (Parks Plan) was adopted by City Council on May 8, 2012. The Parks Plan includes recommended goals and aspirations based on a comprehensive park assessment and is intended to guide future development and planning. One aspiration includes striving to identify a location for a fenced-in dog park.

Currently there is no fenced-in dog park in the City of Los Altos. Dedicated fenced-in dog parks are preferred throughout the day while separating dogs from people, in an enclosed area with permanent fencing. Construction of a fenced-in dog park requires design, capital funding and public land. The City currently maintains 45 acres of park land in Los Altos.

On July 12, 2017, the Parks and Recreation Commission (PARC) established a Dog Park Subcommittee (Subcommittee) to investigate opportunities for dog activity through dedicated fenced-in dog parks and/or off-leash dog hours in existing City parks. The latter includes inviting dogs to be off-leash in parks that were originally intended for other uses but lend themselves to be exclusively used during specific hours. Over the following months of September, October and November 2017, the PARC and Subcommittee drafted, reviewed and finalized a survey to solicit public input on a fenced-in dog park as well as offering off-leash hours.

The PARC posted the electronic survey on the City website and solicited public input between January 29 and March 8, 2018. The survey was viewed 1,127 times and included a total of 868 responses in a 1,776-page report. Many respondents (78%) were in support of a fenced-in dog park in Los Altos. A summary of the survey is attached (Attachment A). The Subcommittee analyzed the survey results and prepared a report (Attachment B) that included the following:

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Pilot Off-Leash Dog Program



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1. Dog Park Criteria
2. Dog Park Locations Discussed
3. Off-Leash Dog Pilot Program
4. Off-Leash Park Criteria
5. Off-Leash Locations Discussed

At its regular meeting of May 9, 2018, the PARC recommended that the City adopt an off-leash pilot program. Prior to advancing the recommendation to Council, commission further recommended that the Subcommittee work with City staff to identify the best alternative locations and hours. The Subcommittee met regularly and reported to the Commission over a 12-month period including an analysis of neighboring city off-leash parks based on tours and inquiries. The PARC discussed the feasibility of a fenced-in dog park at several different Los Altos parks as well as off-leash hours in existing City parks.

The Subcommittee reviewed the Parks Plan criteria for a dog park and was unable to identify a location for a fenced-in dog park that met ALL of the criteria:

- Sufficient room for off-leash activities for dogs of all sizes (at least one-half acre)
- Sufficient parking for park use
- Sufficient buffer between the park and surrounding residential areas to mitigate impact from the park on homes
- Access to water (drinking fountain or spigot)

Per the Parks Plan:

None of the parks in Los Altos, as presently constituted, meet all of these criteria. As such, a site outside of the current park system that includes all of the above criteria should be identified before funds are allocated for a dog park. A dog park should include the following within the design:

- A 4' to 6' fence surrounding the dog area Adequate drainage
- Nearby parking
- Clear and well-placed signs for park rules
- Shade and water for both dogs and owners
- Seating located away from perimeter fence
- Covered trashcans/waste disposal stations

In considering a fenced-in dog park at McKenzie Park, the size is the only non-conforming factor. As a result, the Subcommittee shifted their focus and prepared a recommendation to offer off-leash hours at the July 11, 2018, PARC meeting. The report included a description of the off-leash pilot



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program to include a 12-month test period during specific hours and suggested rules. In addition, the Subcommittee described six parks to consider including McKenzie, Shoup, Lincoln, Hillview Baseball Field, Heritage Oaks and Marymead. The Commission approved the off-leash hours pilot program.

The Subcommittee met on Friday, January 04, 2019 at McKenzie Park to review and discuss a fenced-in dog park, between the tennis courts and Fremont Ave. This area currently includes benches, picnic tables and a climbing play structure and is separated from the large turf area and playground located south of the City Maintenance Services yard.

Upon approval, funding for the development of a fenced-in dog park is scheduled in the Fiscal Year 2020-21 Park Improvement plans, through Park-In-Lieu Funds. The approval process will include the solicitation of public input on aspects such as location, design and programming that will be facilitated months in advance of construction. A landscape architect will be hired by staff to design the project. The process will include review and by the PARC and Council.

The concept for a dedicated fenced-in dog park at McKenzie could include but is not limited to the following features:

- A minimum of 5' fence
- Approximately 7,000 square feet of space
- Installation of a drinking fountain for dogs and owners
- A minimum of two large trees will remain inside the fenced area
- A 'small-dog' run and dog play equipment will be evaluated for installation
- Drainage upgrades

Site work will be done prior to the installation. Existing berms may need to be leveled and the climbing structure relocated. Concrete and asphalt in the area will be removed. This is considered, by the Commission, the best possible location due to the adequate distance from surrounding homes and existing amenities including parking, water supply, restrooms and electrical access, per the desired criteria. Other City-owned properties do not have the same number of amenities that would deem the project more affordable and feasible.

At its regular meeting of April 10, 2019, the Subcommittee presented a report (Attachment D) and recommendation to the PARC that included the following:

1. Identifying the need for a dog park in Los Altos
2. Gating issues
3. Location
4. Alternative locations
5. Programs
6. Design



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## 7. Ongoing changes in the community

Through research, the Subcommittee found that neighboring communities have as many as six dog parks. There are approximately 3,800 dogs in Los Altos (source Cody Macartney, Palo Alto animal Control). There are approximately 30,500 Los Altos residents and approximately 10,700 households (2010 census). Almost 40% of households have dogs. The city has 12 to 13 parks, many of which are not suitable for a dog park for per the established criteria and other factors.

**Subcommittee Recommendations:** To forward a recommendation to City Council to select McKenzie Park as the preferred location for a dedicated fenced-in dog park. The Subcommittee further recommends that the PARC approve submitting the entire report, as documentation of the of a thorough process.

With examples of small fenced-in dog parks in surrounding agencies, the Commission strongly believes this location could be converted into a successful fenced-in dog park.

## DISCUSSION

The PARC presented their recommendation to City Council for an off-leash dog program at the regular City Council meeting on February 12, 2019 (Attachment C), including the July 11, 2018 Subcommittee report.

The Council directed staff to work with the Parks and Recreation Commission to fully develop a pilot program proposal with an implementation plan to include off-leash dog hours at one or two parks, with limited hours, a public noticing plan and educational signage. Concurrently, staff and the Parks and Recreation Commission shall further explore and develop a recommendation for a designated, fenced-in dog park. The proposal for the off-leash hours shall come back to Council for final review before implementation, along with the PARC recommendation for a fenced-in dog park.

In addition, staff was directed to limit the off-leash locations to no more than two parks and to limit staff time dedicated in preparing the pilot program for Council review.

### Off-Leash Hours Program Purpose

The off-leash hours program is intended to provide time in existing parks for residents to exercise their dogs in a large space. Activities offer dogs and their owners the opportunity to engage and socialize with each other while creating a support system for future and ongoing dog park initiatives like designing a fenced-in park, volunteering, planning dog events, etc. Facilities and programs also support a healthy outlet. In addition, alternative and approved off-leash areas can be referred to those who do not comply with current park laws.



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### Pilot Program

All Los Altos parks were evaluated for the off-leash program. The following obstacles were identified by the Parks and Recreation Commission and staff for most of the parks:

- Turf drainage issues
- Proximity to houses
- Proximity to playgrounds
- Limited space for free running dogs
- Speed limits and proximity to busy streets
- No restrooms

The PARC recommended to avoid placing dogs and non-dog park users together. It was further recommended that dogs be restricted from playgrounds, turf areas and athletic fields where youth and adults play or exercise, due to some uncurbed dogs and negligent owners.

Two locations are recommended by staff to offer pilot off-leash hours:

- 1) **Heritage Oaks Park** – The large turf area of Heritage Oaks Park is a popular place for dog owners. Dogs have been seen running free with their owners nearby. Pros include size, space, distance from major streets, restroom and geographic location in the south/central end of the city. Although parking is limited, it is anticipated that most users would be within walking distance of the park.
- 2) **Hillview Park Baseball Field** – The semi-enclosed baseball field at Hillview Park is currently used by the Recreation & Community Services dog obedience class. It is an ideal location on the northern end of Los Altos and is far from traffic. The usage by Little League was considered by the Parks and Recreation Commission. It was recommended that this location be used only during the baseball off-season (July-February).

### Hours of Operation

Bay area agencies that currently allow off-leash dogs in public parks have scheduled hours of usage that minimizes interaction between regular park users, vehicle traffic and dogs. All Bay Area agencies that were studied, schedule off-leash dog hours in the morning, early evening, or both. Scheduling off-leash hours in the early morning give dog owners the opportunity to exercise their dogs prior to going to work or school while using a park during a time that there is little to no use. Morning hours for these agencies range from as early as 5am to as late as 10am.

Scheduling off-leash hours in the early evening allows dog owners to return from work or school and still have a place to exercise their dogs. The early evening time is also a time when general park use is winding down. Los Altos parks do not have sports lighting on the fields, so regular users in the parks at that time are lower.



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After Commission consideration and review, staff is recommending that the pilot program offer the following hours for off-leash use:

**Hillview Park Baseball Field (July 1 – February 28)**

Monday to Sunday 6 to 9am & 6pm to sunset (July-September)  
Monday to Friday 7 to 9am & 4pm to sunset (October-February)

**Heritage Oaks Park:**

Monday to Friday 6:30 to 9am  
Saturday & Sunday 7 to 8:30am

Off-Leash Rules & Enforcement

All off-leash areas for dogs will have explicit rules posted. Fenced-in dog parks and off-leash hours in parks require standards and rules for dogs and owners. Rules that ensure dogs stay under owner control are especially important for off-leash areas in parks. The rules will be enforced as part of the off-leash pilot program (Attachments D & E).

In addition to the recommended rules from the Parks and Recreation Commission, staff has considered suggested rules by the Subcommittee and neighboring agencies. Enforcement of the rules were discussed with the Los Altos Police Department (PD) and developed after consultation with the City Attorney's office.

On June 25, 2019, City Council approved an agreement extension for animal control services that include the City of Los Altos, City of Palo Alto and assistance from PD with animal patrols and complaints. Under the new agreement, on-duty Animal Control officers will serve as the primary enforcement agency during Animal Control officers' regular hours. Rule violations will be reported to the PD, who will dispatch Palo Alto Animal Control as the primary responder. Response times will vary depending on two factors: a) availability and b) proximity. If Animal Control is not available to respond, PD will respond. PD response time will also be based on the same factors. Regular working hours for Animal Control Officers are 8 am to 5 pm, with two to three officers patrolling Palo Alto, Los Altos and Los Altos Hills. On-call hours are 5pm to 8am for emergency response only.

It can be expected that early enforcement will include an educational campaign for dog owners and community. The most anticipated area of education and enforcement will target owners not abiding by the designated hours and locations of the off-leash program. There are several dog owners that violate the leash ordinance in several parks at various times of the day. With two off-leash locations, the pilot program will monitor the pattern of uses including response to education and enforcement. It is desirable that these offerings will reduce unlawful off-leash dogs in unapproved parks or hours. Citations will be issued to violators by Animal Control and/or the Police Department.



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### Potential Program Issues

There are four potential issues that have been identified by the Commission:

- 1) Interaction between dogs and park users or other dog owners, in the form of a dog bite or fear. Other agencies report that the common infraction involves a dog knocking someone over by jumping on them or just bumping into them. The scheduled times of the program is meant to minimize interaction between dogs and unsuspecting park users. It is expected that dogs utilizing the off-leash areas can be controlled by voice command.
- 2) Potential for dogs to run out of the park and into the street. Staff and PARC evaluated the potential and feel the semi-fenced area of the Hillview baseball field will eliminate the possibility. Heritage Oaks has an issue being adjacent to Portland and McKenzie Avenues.
- 3) These are neighborhood streets that have a speed limit of 25 MPH. Dogs being controllable by voice command would prevent them from making it all the way to the street. Should a dog run into the street, the lower speed limits will give drivers a shorter stopping distance.
- 4) Turf wear in the park. Dogs dig holes, play and run. Owners will be asked to prevent digging. Wear and tear may create conditions that require more attention and resources from the Maintenance Department. Staff is anticipating an increase in time and materials.
- 5) Potential for excessive and disturbing barking early in the morning. This can be addressed when owners are asked to remove their dog from the park, if the problem continues.

Issues experienced in other agencies off-leash program:

- Dogs that have run off the park site
- Dogs jumping up on people, knocking them over (San Mateo)
- Excessive noise in the early morning (Foster City)

It is anticipated that users will help educate and police each other for a successful program.

### Program Cost

While the off-leash hours program will cost less than a dedicated fenced-in dog park, there are some expected costs to start and maintain the pilot program. Expenses include staff time for set-up and maintenance, as well as materials. Here is a sample list of expected costs including estimates for a 12-month pilot program:



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Sign purchase and installation (7 – 18”x24”)	\$1,350
Dog bag dispenser purchase (7)	\$2,450
Dog bag dispenser maintenance (1-roll per station/mo.)	<u>\$3,300</u>
<b>Total</b>	<b>\$7,100</b>

Funding for this program is available in the existing Park Maintenance operating budget

#### City Ordinance Change

It was recommended by the City Attorney that a new ordinance be drafted. Being a pilot program, it is recommended that an ordinance be created with a sunset date. The ordinance can capture the rules of the program or refer users to the posted rules of the program. The ordinance will allow Animal Control and/or PD to issue citations to violators during the pilot program. Should the off-leash program be adopted as an ongoing program, a new ordinance will be created and adopted.

As an example, the City of Mountain View incorporated the program rules in the Ordinance.

#### Evaluation of the Program

As a pilot program, staff will evaluate its feasibility as an ongoing program, after the pilot period. Factors that will be taken into consideration over the course of the pilot program will include the following:

- 1) Feedback from residents and users regarding the program
- 2) Evaluation of incidents reported to Animal Control and PD
- 3) Evaluation of actual cost vs expected costs
- 4) Legal issues
- 5) Field conditions
- 6) Attendance

The proposed pilot period would allow for the program to be evaluated through all four seasons of the year. Experiencing the program through the different weather and field conditions will allow for a more comprehensive evaluation.

Should the Commission recommend moving forward, staff recommends that a public workshop be scheduled immediately before the next scheduled PARC meeting on November 13, between 5 and 7pm. A Commission recommendation will then be forwarded to City Council. Once recommended and approved by City Council, it is anticipated that the proposed pilot program will run for a year, beginning in the Spring 2020. During this period dogs will be invited to run off leash in the approved designated park/s during specified times in the morning and afternoon. Dogs will be expected to be leashed in public spaces in accordance with Municipal Code 5.08.010. (Attachment F).



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Attachments:

- A. Summary of Dog Park Survey
- B. 05-09-2018 Subcommittee Report
- C. 02-12-2019 City Council Report & Subcommittee Report
- D. 04-10-2018 Dog Park Recommendations for McKenzie Park
- E. Hillview Off-Leash Rules
- F. Heritage Oaks Off-Leash Rules
- G. City of Los Altos Municipal Code 5.08.010